

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED
RICHARD W. NAGEL
CLERK OF COURT

2017 AUG 22 PM 3:32

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WESTERN DIV. DAYTON

United States of America,
ex rel. Trakhter,

Plaintiff,

Case Number: 1:11-CV-00217-TSB

vs.

Judge Black

Provider Services, Inc.,

Defendant.

Motion for Relator fees, cost and expenses
pursuant to 31 U.S.C. § 3730(d)

Motion for Relator fees, cost and expenses pursuant to 31 U.S.C. § 3730(d)

Plaintiff, Vladimir Trakhter ("Trakhter" or "Relator"), moves for an award of his reasonable fees, cost and expenses following the successful resolution of these False Claims Act claims, 31 U.S.C. § 3729, et seq.

1. In July 2017, a \$19.5 million global settlement was reached between the United States, Relator and Defendants to resolve all pending False Claim Act claims brought by Relator Trakhter (and relators in Case No. 1:12-CV-00935).

2. Relator Trakhter is therefore a prevailing party against Foundations Health Solutions, Inc. f/k/a Provider Services, Inc and BCFL, Holdings, Inc., Olympia Therapy, Inc. (collectively "Defendants").

3. The False Claim Act provides that a relator may receive a percentage of the proceeds recovered by the Government, and that "[a]ny such person shall also receive an amount for reasonable expenses...necessarily incurred...". All such expenses, fees and costs shall be awarded against the defendant." 31 U.S.C. § 3730(d)(1).

4. Relator Trakhter seeks recovery of his reasonable fees, costs and expenses under the Act. Relator had been working with his Legal Councils, on a matter of professional research and education and also with his Legal Councils and Government on their assignments.

5. Relator Trakhter incurred fees of \$7,468.00 for 194.50 hours expended in this matter through June 26, 2017, plus necessarily costs and expenses of \$546.92.

6. Relator also seeks fees necessarily incurred in the preparation and litigation of this motion.

7. This motion is brought within 28 days of filing the stipulation for dismissal to the extent Fed.R.Civ.P.54(d)(2)(B) applies.

8. Relator will file suggestions in support of this motion within the 45-day period specified in Local Civil Rule 54.2.

WHEREFORE, Relator prays for entry of an order awarding at least \$7,468.00 in fees and \$546.92 in cost and expenses incurred by Relator in addition to the amount of money submitted in Aug, 08 2017 motion for attorneys' fees, cost and expenses, against Defendants, together with all such further relief as the Court deems just and proper. Relator's fees, cost and expenses and Relator's Council expenses will be reimbursed to Relator Trakhter.

Respectfully Submitted,

Vladimir Trakhter
/s/ Vladimir Trakhter

Relator
5317 Salem Bend Dr., Apt B
Dayton, OH 45426
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CERTIFICATE OF SERVICE

I hereby certify that on this date, I mailed/presented a copy of this document to the Clerk of Courts for filing. Upon the Clerk's Office docketing of this pleading, notice of this filing will be sent through the Court's electronic filing system to all parties represented by attorneys who are registered as users of the Court's ECF system. A copy of this pleading will be sent by ordinary ^{over-mail} mail to the following unrepresented party/parties this 22 day of Aug 20 .

Vladimir * Trakhter

Signature

Vladimir Trakhter

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